

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

DELIVERANCE POKER, LLC,

Plaintiff,

vs.

MICHAEL MIZRACHI and TILTWARE,
LLC,

Defendants.

CIVIL ACTION NO. 1:10-CV-00664-JRN

**DECLARATION OF JOHN P. HENRY IN SUPPORT OF TILTWARE’S REPLY BRIEF
RE EXPEDITED MOTION TO CONTINUE TRIAL DATE AND DISCOVERY CUTOFF
OR BIFURCATE OR SEVER CLAIMS AGAINST TILTWARE**

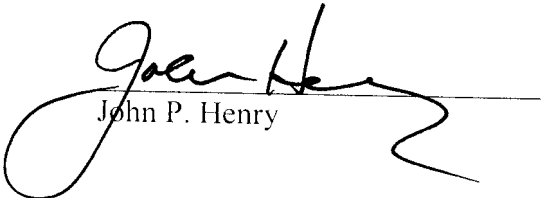
I, John P. Henry, declare:

1. I am attorney-of-record for Defendant Michael Mizrachi and Defendant Tiltware, LLC in this action. I also participated in the deposition of Maurice Mills in Las Vegas, Nevada. As such, I have personal knowledge of the matters stated herein, and could and would competently testify to the same if called as a witness in this action.
2. Maurice Mills testified, during his deposition, that he was a principal of Sabre Asset Management, S.A. (“Sabre”). He further testified that Sabre contributed the software to Deliverance Poker which Deliverance claims fulfills the \$1,000,000 third-party debt or equity investment precondition to making the personal services contract with Mizrachi effective.
3. When asked technical questions about the software, however, Mr. Mills testified that was not a programmer and had no personal knowledge about the software or hardware, but that a third-party, Las Vegas From Home.com Entertainment, Inc. (“LVFH”), had created the

software, made all substantive modifications to the software requested by Deliverance, and maintained ownership and possession of the software at all times.

4. Mr. Mills further testified that LVFH is located in Vancouver, Canada, and that to his knowledge all versions of the software and hardware created or modified for Deliverance remained in the possession of LVFH in Vancouver, Canada.

5. I declare under penalty of perjury under the laws of the United States of America that the above is true and correct and executed on March 15, 2011 in Austin, Texas.


John P. Henry

Respectfully submitted,
GREENBERG TRAURIG, LLP

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of March, 2011, a true and correct copy of the foregoing was served upon the following counsel via the Court's CM/ECF system or First Class Mail:

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